

SENTENCE DATA SHEET

CRIMINAL NO.: H-09-453SS

DEFENDANT: JOHN BUTLER

**DEFENDANT'S
IMMIGRATION
STATUS:** U.S.

GUILTY PLEA: Counts 1 and 2

**SUBSTANCE
OF PLEA
AGREEMENT:** Pursuant to Rule 11(c)(1)(C) & (A)

The defendant agrees to: 1) plead guilty to Counts One and Two of the Superseding Information;

2) waive right to appeal and collaterally attack this conviction or sentence.

The government agrees to: 1) The United States agrees at the time of sentencing to request a sentence of 96 months imprisonment on Count Two to run concurrent to 60 months on Count One. The term of imprisonment is to be followed by 3 years supervised release as to Count One to run concurrent to a minimum of 5 years supervised release on Count Two. The United States agrees that this recommendation will bind the Court, if this agreement is accepted, pursuant to Rule 11(c)(1)(C).

2) not oppose defendant's anticipated request to the Court and the United States Probation Office that he receive a three (3) level downward adjustment of his offense level for acceptance of responsibility as contemplated in U.S.S.G. Section 3E1.1(a) & (b);

3) dismiss the remaining counts at sentencing

COUNT 1 Conspiracy = 18 U.S.C. § 371

1. The Defendant and at least one other person made an agreement to commit the crime of sex trafficking in children or by fraud, force,

or coercion, transportation with intent that an individual engage in prostitution, coercion or enticement to engage in prostitution, or transportation of minors with intent to engage in criminal sexual activity;

2. That the defendant knew the unlawful purpose of the agreement and joined in it willfully, that is, with the intent to further the unlawful purpose; and
3. That one of the conspirators during the existence of the conspiracy knowingly committed at least one of the overt acts described in the indictment, in order to accomplish some object or purpose of the conspiracy.

PENALTY: A term of imprisonment up to 5 years and a fine of up to \$250,000

SUPERVISED

RELEASE: A term not to exceed 3 years

COUNT 2 Transportation = 18 U.S.C. § 2421

1. That the defendant knowingly transported or attempted to transport an individual in interstate commerce; and
2. That the defendant intended that individual engage in prostitution or in any sexual activity for which a person can be charged with a criminal offense.

PENALTY: A term of imprisonment up to 10 years and a fine of up to \$250,000

SUPERVISED

RELEASE: A term of at least 5 years up to Life

**ALTERNATIVE
FINE BASED ON**

GAIN OR LOSS: Not Applicable

SENTENCING

GUIDELINES: Applicable

FORFEITURE: Applicable

RESTITUTION: Applicable

SPECIAL

ASSESSMENT: \$100 per count of conviction

ATTACHMENT: Plea Agreement